

**TOWN OF WILLIAMSPORT
MAYOR AND COUNCIL MEETING MINUTES
June 17, 2014**

A regular meeting of the Williamsport Mayor and Council was held on June 17, 2014, at the Williamsport Town hall in Williamsport, MD at 6:30 p.m.

In attendance were:

Mayor James G. McCleaf II
Asst Mayor Joan Knode
Councilwoman Maya Haines
Councilman Bill Green
Councilman Scott Bragunier
Councilman Jim Kalbfleisch
Councilman Alan Redding

Also present was Town Clerk Donnie Stotelmyer

Mayor James G. McCleaf II called the meeting to order. Mayor McCleaf asked all in attendance to stand for a moment of silence followed by the pledge of allegiance.

A motion was made by Councilman Bill Green to accept the regular meeting minutes held on May 12, 2014, and the Workshop meeting minutes held on June 2, 2014. This motion was seconded by Councilman Alan Redding. With all voting in favor, motion carried.

Financial Report

Town Clerk Donnie Stotelmyer gave the financial report for May 2014. Councilwoman Maya Haines made a motion to accept the financial report as presented. This motion was seconded by Councilman Alan Redding. With all voting in favor, motion carried.

Town Clerk Donnie Stotelmyer presented the following Budget Amendment:

**FY 2014
General Fund
Budget Amendment 2014-01**

Overview: To record transfer of budget amounts to maintenance of Springfield Barn.

Detailed Summary:

General Services (Springfield Barn) Capital Outlay

\$17,000 – Springfield Barn
\$16,000 – Maintenance – Highway
1,000 – Supplies – Park

Assistant Mayor Joan Knode made a motion to adopt the amendment as presented. This motion was seconded by Councilman Jim Kalbfleisch. With all voting in favor, motion carried.

Guests

Mayor James McCleaf introduced Mike Nestor with Thrasher Engineering. Mike was present to recommend Titan Industrial Services out of Baltimore County to be awarded the bid for the Water Tower Project at a cost of \$268,625.00. Councilman Jim Kalbfleisch made a motion to award the bid for the Water Tower Project to Titan Industrial Services. This motion was seconded by Scott Bragunier. With all voting in favor, motion carried.

Mayor James McCleaf introduced Reya Shaver winner from Williamsport Elementary School for “If I Were a Mayor...” essay contest. Zoe Schlotterbeck was the state winner, but she was not present for this evening’s meeting. Reya Shaver read her speech and the Mayor and Council congratulated her on winning the contest.

Mayor James McCleaf introduced Chrysanthemum Shaver, town resident. She discussed her concerns regarding blasting at the new Sheetz construction site. Mayor McCleaf informed everyone the blasting at the Sheetz site is to make room for installation of gas tanks. The Mayor also indicated Washington County permit office and the state Fire Marshall’s office have both indicated the Elite Blasting Company has completed all of the proper permitting within state and federal regulations in order to safely blast at this site. Dick Grimm from the Planning and Zoning Commission for the Town of Williamsport spoke and indicated a great deal of time went into reviewing the site plan for this construction site. However, when reviewing the site plan they had no way of knowing blasting would be needed for this project. Mayor introduced Mr. Adams, the blaster from Elite Blasting Company. He explained that he has been working with the state Fire Marshalls office and has been blasting for over 30 years. He knows the rules and regulations and follows them carefully. He has been around to notify town residents prior to the blast and surveyed the homes to document preexisting conditions of the various structures within the blast zone. Most damage comes from fly rod (objects flying from the blast site). Mrs. Shaver asked if there was an ordinance prohibiting blasting within the town limits. Town Attorney, Ed Kuczynski said there is no ordinance prohibiting blasting within town limits. Town resident, Mark Beasley questioned the Mayor and Council who would be responsible for any damages that may occur as a result of the blasting? Town Attorney Ed Kuczynski responded that the blasting company would ultimately be responsible and the town has no responsibility for any potential damages to a property. Town resident, Matt Shaver wanted to know if the Mayor and Council ever discussed prohibiting blasting in the past. They had not. Town Attorney, Ed Kuczynski said the town residents would have to discuss this further with the Sheetz Corporation about the

blasting. He also explained how the town charter works. The site plans have been reviewed over the last three years and were approved. The Sheetz Corporation has decided that track drilling and blasting is what is needed to move forward with their project and they have determined this is the best method compared to other alternative options. Ed Kuczynski said the Town can urge the Fire Marshall to be present at the blasting site while the blasting is occurring. If Sheetz Corporation decides to blast, then they are the ones assuming the risk. Ed Kuczynski said the town is willing to listen to the town resident's concerns. The Mayor and Council will contact the state to try and have the Fire Marshall present, but we can't guarantee they will be present. All we can do is put in a request. Mayor McCleaf stated we will put in that request and we will verify that all the proper regulations have been followed for this procedure. He said we will look into seeing if there are any other alternative measures that the Sheetz Corporation can implement other than blasting. Town Attorney, Ed Kuczynski said he was trying to help the town residents, Matt and Chrysanthemum Shaver, and give them advice. Mrs. Shaver questioned the Mayor and Council as to whether or not we have water and sewer pipes near the blast site and if these are damaged by the blasting, would the town file a claim? Town Attorney, Ed Kuczynski said he understands there are historic homes in the area and empathizes with the resident's concerns. He also said the Sheetz project is something that has been under review for five years. The Board of Zoning Appeals approved this project and it was something that was litigated in court. Councilman Alan Redding wanted to know if there was an underground stream under the property. Ed Kuczynski responded the stream was rerouted years ago. Councilwoman Maya Haines spoke to the residents saying the Mayor and Council understand their concerns and that they are doing their due diligence to pursue this matter on behalf of the town residents.

Correspondence

Mayor James G. McCleaf informed the Council we received a thank you card from Phillip Powell thanking the town for everything they do for the Boys and Girls Club.

Mayor James G. McCleaf informed the Council we received a thank you card from Mrs. Carolyn Spinney for the Christmas gift of a Williamsport sweatshirt.

Mayor James G. McCleaf informed the Council we received a thank you card from Williamsport High School thanking us for letting them use the Springfield Barn for their prom.

Reports:

Board of Elections Supervisor

No report.

Board of Zoning and Appeals

Town attorney Ed Kuczynski reported on an appeal hearing that was rescheduled due to inclement weather. The original hearing date was for June 12, 2014. It has been rescheduled for July 10, 2014.

History and Museum Board

Jerry Knode reported the museum is open and going well. They are receiving a lot of artifacts.

Planning Commission

May 30, 2014

To: Williamsport Mayor and Council
From: Williamsport Planning and Zoning Commission

Subject: Activities Report for May, 2014

- There were nine(9) new permits submitted in May, and a total of four(4)were approved. There are a total of nine (9) permits under review.
- Welcome Center Plans are progressing, FEMA permit applications should be in system within six weeks, grant paperwork finalization pending. Town needs to define structure mission and size.
- Sidewalk Usage Standards are written and have been approved by Council. Letter to Commercial establishments needs to be composed and mailed.

Permits Reviewed and Disposition Made:

| | | | |
|---------|----------------------------|----------------------|-----------------|
| 2014-05 | 22 N. Conococheague Street | Church Usage | Permit Approved |
| 2014-18 | 22-24 N. Conococheague St. | Studio Type Business | Permit Approved |
| 2014-19 | 22-24 N. Conococheague St. | Advertising sign | Permit Approved |
| 2014-27 | 21 W. Church Street | Replace fence | Permit Approved |

Permits Under Reviewed:

| | | | |
|------------|--------------------------|-----------------------------------|---------------------------|
| 2012-36 | 15940 Lockwood Rd | Business Change | Connecting road Approvals |
| 2014-15 | 17 E Frederick Street | Construct semi attaché dwell. | Appeal date June 12 |
| 2014-20 | Potomac Street | Sidewalk and ADA replacement | Need print |
| 2014-21/26 | 14-26 E Salisbury Street | Remove and replace frnt sidewalks | Meeting w/property owners |

Code Administration:

There was No Code Violation in May

New Business:

East Potomac GC District Development (South) – Traffic Study completed next meeting June.

Sidewalk usage guidelines approved by Council, letter to commercial properties will be prepared in June.

Demo of 1 W. Potomac will begin on July 7, 2014

Respectfully Submitted,

Charles Stumbaugh

Planning and Zoning Commission

Legal Council

No Report.

Sheriff's Report

Mayor James McCleaf gave the May 2014 sheriff's report.

Council report

Asst. Mayor Joan Knode reported she has been keeping up with her duties with the Springfield Barn. The Barn is now renting through 2016. The Maryland Community Band Festival was held at the Barn on June 8th, 2014. She was unable to attend because she was en route to the MML Conference in Ocean City, MD. She reported she has learned how to properly rent out the chairs belonging to the barn that she needs to receive the money up front and the new process is working well. Assistant Mayor Joan Knode reported on the Father's Day picnic event at the Barn on June 15th, 2014. She reported the event was well attended and was successful especially with it being planned at the last minute.

Councilman Jim Kalbfleisch reported he went to MML Conference in Ocean City, MD. He has been looking into speed cameras and red light cameras and collecting literature to bring to the Mayor and Council.

Councilman Scott Bragunier reported on Double Days Event. He reported it was a good event and well attended. He also reported the Kelly Miller Circus event went well. He said there was a little hiccup in the logistics of the Circus, but we got through it. Councilman Scott Bragunier reported the Retreat Through Williamsport is the next event he is organizing in mid-July. On July 12th, 2014, the soldiers will be doing a reenactment on W. Salisbury. He reported he will be attending the Eagle Scout Ceremony for Colton Shirley this Saturday, June 21st, 2014. Councilman Scott Bragunier reported he will be attending a meeting with the Washington County School Board representatives to discuss possible uses for the Pythian Castle building which is being revitalized. He asked the Mayor and Council to attend this meeting if at all possible. Councilman Scott Bragunier congratulated the Williamsport Fire and EMS Junior Fire Company. They were recently recognized at the Fireman's Convention held last week in Ocean City, MD for being the best Junior Fire Company in the state of Maryland. In addition, one of our local fire fighters, Michael Keller is now president of the Fireman's Association for the State of Maryland. Councilman Scott Bragunier wanted to commend the town employees for doing an excellent job at keeping up with all of the various duties around town. They do a fantastic job.

Councilman Alan Redding reported the pool is open and they are going to start a walking and water aerobics class in July. The classes are going to be \$60 for the 6 week class series. Space will be limited. If an individual does not want to attend all 6 weeks of classes, they can sign up for individual classes for \$5.00 each class, but again the space is limited. The class would run from 11:15am-12:00pm when the pool opens. As a bonus for participating in the classes, those people would be able to stay at the pool for the rest of that day without paying an additional admission fee. They already have an instructor for these classes. Councilman Alan Redding reminded the Mayor and Council they are hosting a Pirate Pool Party on June 27th, 2014 from 6:30pm-9:00pm. He advised the Council to dress in their pirate costumes and come out for this event. Councilman Alan Redding also reminded the Mayor and Council that ACWA (Antietam Conococheague Watershed Alliance) has rescheduled their Rubbish Roundup Clean-up event of the Conococheague Creek for Saturday, June 28th, 2014 starting at 9:00am.

Councilman Bill Green reported on the concerns brought up by St. Augustine's Church regarding access to their parking lot for church services during the C&O Canal Days. He learned there are 2 church services and the timing of the services are before the C&O Canal Day events begin. There are many different entrances to access the parking lot. He discussed the closure of the roads with different parishioners and they do not feel the road closures on E and W Salisbury Street would interfere with the church services. Councilman Bill Green and Town Clerk Donnie Stotelmyer suggest we move forward as originally planned and host the Canal Days event on N. Conococheague Street and East and West Salisbury Streets.

Councilwoman Maya Haines reported that she, Town Clerk Donnie Stotelmyer and Event Coordinator Cyndi Powell have been working on how to spend the \$500 grant we received from the Cigarette Restitution Fund. She reported these funds must be spent by the end of June. She discussed purchasing bags with a "Clean Air" logo as a way to spread our message. Councilwoman Maya Haines reported she and her husband performed at the Father's Day Picnic event. She talked about the Stoney Creek Bluegrass band and spending money to hire them to perform this event. She feels the money we spent on this band could have been put to better use. Maya reported she and her husband, Todd provided their sound system for the Nick Adenhardt Race on Saturday, June 14th, 2014. She reported it was a great event and it seems to be growing in number of participants each year.

Mayor's Report

Mayor James McCleaf reported it has been a very busy month. He talked about attending the Flag Retirement Ceremony at the Williamsport Redman Club on Saturday, June 14th, 2014. He also attended an Eagle Scout Ceremony for Christopher Werder on June 14th, 2014. Christopher's parents passed away and Mayor McCleaf talked about how the Boy Scout Troop helped this young man to obtain his Eagle Scout award. Mayor McCleaf also discussed attending an Eagle Scout Award Ceremony for Colton Shirley on June 21st, 2014 and he is another fine young gentlemen. Mayor McCleaf reported Town Clerk Donnie Stotelmyer is working with Councilman Bill Green and Event Coordinator, Cyndi Powell to make preparations for our July 4th in the Park event on July 4th, 2014.

Unfinished Business

Mayor James McCleaf stated we received two bid packets for the Fitness Trail in Byron Memorial Park. One bid came from Callas Contractors Inc., from Hagerstown, MD. The other bid came from Cunningham Recreation from Queenstown, MD. Councilman Scott Bragunier and Councilman Bill Green each opened one of the bid packets. Cunningham Recreation submitted a bid in the amount of \$29,990.31. Callas Contractors Inc. submitted a bid in the amount of \$59,000.00. Discussion was held regarding each bid and the difference in the prices. The differences seem to come from the price of the fitness equipment. Town Attorney Ed Kuczynski stated we rebid this project in order to specify the fitness equipment required for each statement to be able to better compare each bid. Councilman Scott Bragunier made a motion to award the Fitness Trail Project to Cunningham Recreation at the cost of \$29,990.31. This motion was seconded by Assistant Mayor Joan Knode. With all voting in favor, motion carried.

Mayor James McCleaf requested the Council make a motion to approve the purchase of a 2013 E-350 Utility Truck. This would be purchased out of the 2016 FY Budget at a cost of \$35,854.00. Councilman Bill Green made a motion to approve the purchase of this vehicle. This motion was seconded by Councilwoman Maya Haines. With all voting in favor, motion carried.

Mayor McCleaf explained to the Council we would need a motion to accept the 2015 Fiscal Budget. Town Attorney Ed Kuczynski explained this would need to be presented and accepted as an emergency ordinance effective July 1st, 2014. Assistant Mayor Joan Knode made a motion to accept the 2015 Fiscal Budget as presented. This motion was seconded by Councilman Scott Bragunier. With all voting in favor, motion carried.

Mayor McCleaf explained to the Council we would need a motion to accept the 6% sewer rate increase. Town Attorney Ed Kuczynski explained this would need to be presented and accepted as an emergency ordinance effective July 1st, 2014. Councilman Jim Kalbfleisch made a motion to accept the 6% sewer rate increase. This motion was seconded by Councilman Scott Bragunier. With all voting in favor, motion carried.

Mayor McCleaf explained to the Council we would need a motion to accept the 4% water rate increase. Town Attorney Ed Kuczynski explained this would need to be presented and accepted as an emergency ordinance effective July 1st, 2014. Councilman Jim Kalbfleisch made a motion to accept the 4% water rate increase. This motion was seconded by Assistant Mayor Joan Knode. With all voting in favor, motion carried.

New Business

Citizen Participation

Town resident, Matt Shaver asked the Mayor and Council if they have considered amending the ordinance to allow raising of chickens within the town limits. Town Attorney Ed Kuczynski explained they are not permitted with the current ordinance and it would require amending. Mayor McCleaf's opinion is that the chickens will stink and he is not in favor of allowing

chickens within town limits. Councilwoman Maya Haines said they are still working on it. There was no further discussion on this topic.

Councilman Alan Redding made a motion to adjourn this meeting. This motion was seconded by Councilwoman Maya Haines. Meeting adjourned.

Respectfully submitted,

Donnie Stotelmyer
Town Clerk
Town of Williamsport